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*Counsel for Plaintiff Desai*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

\*E-FILED - 1/9/07\*

SUNANDA A. DESAI, as Trustee of and for the  
SUNANDA A. DESAI REVOCABLE TRUST,  
Derivatively on Behalf of Nominal Defendant  
FOUNDRY NETWORKS, INC.,

Plaintiff,

v.

BOBBY R. JOHNSON, JR., LAURENCE L.  
AKIN, TIMOTHY D. HEFFNER, KEN K.  
CHENG, KARL D. TRIEBES, LEE CHEN,  
WILLIAM S. KALLAOS, ROBERT W.  
SHACKLETON, C. NICHOLAS KEATING,  
ALFRED J. AMOROSO and J. STEVEN  
YOUNG,

Defendants,

and,

FOUNDRY NETWORKS, INC.,

Nominal Defendant.

Case No. C06-05598 RMW

**STIPULATION POSTPONING CASE  
MANAGEMENT CONFERENCE  
AND ORDER**

1 WHEREAS, by Order dated December 8, 2006, this Court entered the Stipulation and  
 2 Order Consolidating Cases for All Purposes and Setting Schedule for Filing of Consolidated  
 3 Complaint (the "Consolidation Order");

4 WHEREAS, the Consolidation Order provides that a consolidated complaint will be filed  
 5 no later than 45 days from the entry of an order appointing lead plaintiffs and/or lead counsel;

6 WHEREAS, there are currently pending before the Court two motions for appointment of  
 7 lead plaintiffs and lead counsel, scheduled to be heard on January 12, 2007;

8 WHEREAS, there is a case management conference currently scheduled in the above action  
 9 for January 9, 2007 (the "Case Management Conference");

10 THEREFORE, IT IS STIPULATED AND AGREED by Plaintiff and Defendants, through  
 11 their respective counsel of record, that the Case Management Conference shall be taken off  
 12 calendar and rescheduled at the convenience of the Court following the appointment of Lead  
 13 Plaintiffs and/or Lead Counsel. The rescheduled Case Management Conference shall be for the  
 14 consolidated action, and not the individual above action.

15  
 16 I, Kathryn A. Schofield, am the ECF User whose identification and password are being  
 17 used to file the Stipulation in compliance with General Order 45.X.B, hereby attest that the other  
 18 signatory has concurred in this filing.

19  
 20 Dated: December 15, 2006

BRAMSON, PLUTZIK, MAHLER & BIRKHAUSER, LLP

21  
 22  
 23 By: /s/ Kathryn A. Schofield

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*Counsel for Plaintiff Desai*

Dated: December \_\_, 2006

DLA PIPER

By:           /s/ Gerard A. Trippitelli          

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*Counsel for Defendants and Nominal Defendants*

\* \* \*

**ORDER**

The Case Management Conference is hereby continued to March 2, 2007 @ 10:30 a.m. (jg)  
PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED:   1/9/07  

                  /S/ RONALD M. WHYTE